

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RICHARD E. SIRGINSON,

Plaintiff,

v.

KERRY IVEY,

Defendant.

Case No. C04-1879L

ORDER GRANTING MOTION  
TO CONTINUE TRIAL DATE AND  
AMEND CASE SCHEDULE

This matter comes before the Court on the parties' joint Local Rule 37 motion to extend time to take plaintiff's deposition and to continue the trial date and remaining case deadlines. (Dkt. #27). Plaintiff's deposition was scheduled to occur in October, but plaintiff's counsel informed defense counsel on the morning of the deposition that he would not attend due to personal illness.<sup>1</sup> Plaintiff's deposition was rescheduled for December 22, 2005. However, the deposition did not occur because plaintiff's counsel informed defense counsel on that morning that his young daughter was ill.

The deadlines to complete discovery and to file dispositive motions have passed, and the

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<sup>1</sup> In a prior order, the Court granted defendant's motion to compel and imposed sanctions on plaintiff and his counsel for failing to appear at the deposition without substantial justification.

1 trial date of March 6, 2006 is fast approaching. The parties agree that plaintiff's deposition  
2 should occur and that the remaining case deadlines, including the discovery deadline and trial  
3 date, should be continued. The parties have shown good cause for a continuance.

4 Accordingly, the Court GRANTS the parties' joint motion for a continuance (Dkt. #27).  
5 Plaintiff shall appear for his deposition once defendant re-notices it. Otherwise, the Court may  
6 impose additional sanctions, up to and including dismissal of this case.

7 The Clerk of the Court is directed to issue an amended order setting trial and related dates  
8 and to continue the discovery deadline and all subsequent deadlines by four months.

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10 DATED this 9th day of January, 2006.

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13 Robert S. Lasnik  
14 United States District Judge  
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